

### REMARKS

#### Request for Continuing Examination and Request for 3 Month Suspension of Action

Applicants have filed a Request for Continuing Examination with a request for suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of three (3) months. Applicants respectfully request that the request for 3 month suspension of action be granted.

#### Status of the Claims

Claims 1-10 remain pending in the above-identified application and stand ready for further action on the merits. No amendments to the claims are made herein.

Accordingly, proper consideration of each of the pending claims is respectfully requested at present.

#### Claim Rejections under 35 U.S.C. §§ 102 and 103

Claims 1, 2, 4 and 6-8 are rejected under 35 U.S.C. § 102(a) or (e) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Saito et al. US '177 (US 2004/0137177).

Claims 3, 9 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Saito et al. US '177.

Further, claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Saito et al. US '177, as applied to claim 1, in further view of Mueller US '765 (US 2006/0093765).

Finally, claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Saito et al. US '177, as applied to claim 1, in further view of Osame et al. US '940 (US 6,663,940) in the

Office Action of March 17, 2010. The rejection is maintained in the Advisory Action of August 24, 2010. The rejection is respectfully traversed. Reconsideration and withdrawal of the rejection are requested based on the following considerations.

#### *Incorporation of Earlier Remarks*

On August 17, 2010, Applicant's filed a response to the Office Action of March 17, 2010. The rejection is maintained in Advisory Action of August 24, 2010.

The remarks set forth in the prior response of August 17, 2010 are incorporated herein by reference. In short, the present invention is distinguished from each of the cited references. Also, since none of the cited references discloses or suggests the claimed features, a *prima facie* case of obviousness is not established based on the combination of the cited references. Likewise, there is not provided any rationale and/or reasonable expectation of success based on the combination of the cited references, by which one skilled in the art could arrive at the present invention as claimed. Thus, it is submitted that the present invention is not obvious over the primary reference Saito et al. US '177 in view of the secondary references (Mueller US '765 and Osame et al. US '940).

The Examiner is respectfully requested to reconsider the response of August 17, 2010 as they are believed to remain pertinent to the outstanding rejections, vis-à-vis, the pending claims. Applicants respectfully request that the Examiner withdraw each of these rejections.

#### **Conclusion**

Based upon the remarks presented herein, the Examiner is respectfully requested to issue a Notice of Allowance clearly indicating that each of the pending claims is allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Toyohiko Konno, Registration No. L0053, at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: SEP 16 2010

Respectfully submitted,

By 

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